



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RICHARD BREUNINGER, et al,
:
Plaintiffs, :

- against -

T. EDWARD WILLIAMS, et al,
:
Defendants. :

20-CV-7033 (JPC) (RWL)

ORDER

-----X
ROBERT W. LEHRBURGER, United States Magistrate Judge.

This order resolves Defendant's letter motion to compel Plaintiff to produce an executed form 4506 authorizing disclosure of the tax returns for Plaintiff and ITGA. (Dkt. 187.) The motion is granted in part and denied in part.

1. By November 13, 2023, Plaintiff shall submit Form 4506 to the IRS for ITGA, LLC's tax returns for years 2017 and 2018. There is no sound justification why Plaintiff need provide an authorization to Defendant to do so as the only reason Plaintiff has not produced the returns is that he does currently possess them; he has not refused to produce them.

2. Plaintiff shall produce those tax returns to Defendant within one week of Plaintiff's receipt of the returns. Whether Plaintiff believes in good faith that any material should be redacted from the returns before production to Defendant is up to Plaintiff to determine in the first instance. That said, the Court is hard-pressed to see why any information therein would be privileged or otherwise subject to redaction, and Plaintiff has not specified any such information expected to be in the returns. To the extent Plaintiff

does redact any material from the returns, Plaintiff was contemporaneously produce a privilege log of redacted material.

3. The request for Breuninger to produce his personal returns is denied. Defendant has not provided a sufficient basis for their production.

The Clerk of Court is respectfully directed to terminate the letter motion at Dkt. 187.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', is written over a horizontal line.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: November 7, 2023
New York, New York

Copies transmitted this date to all counsel of record.